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Global Crossing

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March 19, 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BY HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
TW-A325
Washington, D.C. 20554

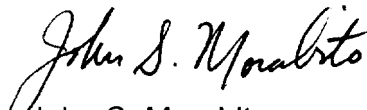
Re: CC Docket No. 99-301 /

Dear Ms. Salas:

Enclosed for filing please find an original plus four (4) copies of the Comments of Global Crossing North America, Inc. in the above-docketed proceeding.

To acknowledge receipt, please affix an appropriate notation to the copy of this letter provided herewith for that purpose and return same to Carol Personte in the enclosed self-addressed envelope.

Very truly yours,


John S. Morabito

cc: International Transcription Service (1 copy)
Ms. Suzanne McCrary (2 copies)

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**Before the
FEDERAL COMMUNICATIONS COMMISSION MAR 19 2001
Washington, D.C. 20554**

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

In the Matter of)
) CC Docket No. 99-301
Local Competition and Broadband)
Reporting)

**COMMENTS OF GLOBAL CROSSING
NORTH AMERICA, INC.**

Introduction

Global Crossing North America, Inc. ("Global Crossing"), on behalf of its incumbent local exchange and competitive local exchange subsidiaries, respectfully submits these comments in response to the Commission's Second Notice of Proposed Rulemaking in the above captioned proceeding.¹

In the Second Notice, the Commission requests comment on how it may refine or improve its data gathering efforts regarding the deployment of broadband services and the development of local competition.² In addition to the specific comment sought on a host of proposals addressing broadband services, the Second Notice generally invites commenters to address any and all aspects of the Commission's data collection program.³ Given Global Crossing's experience with the first three cycles of data collection, the Commission must

¹ *Local Competition and Broadband Reporting*, Second Notice of Proposed Rulemaking, CC Docket No. 99-301, FCC 01-19 (adopted January 17, 2001)("Second Notice").

² Second Notice at para. 1.

³ Second Notice at paras. 8, 23.

take efforts to reduce the burdens imposed on service providers and ease the manner in which the data is collected.

First, the Commission should require Form 477 to be filed annually to be consistent with the Commission's reporting responsibility under section 706 of the Telecommunications Act of 1996. *Second*, the Commission should retain its existing rules regarding the classification of business users, the threshold for broadband reporting, and the listing of zip codes where broadband service is being deployed. Amending these rules, as contemplated by the Commission, likely will lead to increased regulatory burdens for all service providers without providing the Commission with meaningful reporting data. *Finally*, the Commission should convert Form 477 to a simple database format and allow service providers to file Form 477 electronically.

Argument

I. THE COMMISSION MUST REDUCE THE BURDENS IMPOSED ON SERVICE PROVIDERS.

Throughout the Second Notice, the Commission expresses its desire to balance the need to collect timely and reliable data with minimizing the burdens imposed on providers of broadband and local telephone services.⁴ Yet in the same decision, most of the Commission's tentative conclusions or proposals would actually increase the burdens imposed on service providers. These new burdens, whether they consist of more detailed data or more filings, would be especially costly for service providers that may lack the ability to absorb the costs.

⁴ See, e.g., Second Notice at para. 2.

The Commission should take this opportunity to minimize, rather than increase, the reporting burdens on all service providers. *First*, the Commission should reduce the frequency by which Form 477 is filed. The problems associated with local competition and broadband availability are well documented today and more filings for the Commission based on historical data will not improve Commission decisionmaking or help it adopt timely regulations. Instead, the Commission should require annual reporting that will match the Commission's efforts to comply with section 706 of the Telecommunications Act of 1996.

Second, in the Second Notice, the Commission seeks comment on whether Form 477 should be altered to distinguish between the deployment of broadband services to small business users and large business users (including institutional users).⁵ The Second Notice also seeks comment on whether service providers should report actual broadband subscribers by zip code, as opposed to identifying the zip codes where broadband service is being delivered. The Commission should reject these proposals.

Regarding business users, Global Crossing does not distinguish between small and large business users and it would be administratively difficult, costly, and time consuming for Global Crossing to obtain such information. Similarly, it would be difficult for Global Crossing to report broadband subscribership data by zip code. Some of Global Crossing's competitive local exchange operations do not retain such information and thus the information cannot be readily available

⁵ Second Notice at para. 17.

for accurate reporting. As a matter of policy, the Commission should not assume that zip codes incorporated into billing or provisioning databases result in more valuable data.⁶ In general, a single billing address may be used for multiple subscriber lines inside or outside the billing zip code.

Finally, the Commission should retain the existing threshold for broadband reporting. To eliminate the threshold at this time would only further increase the cost of providing telecommunications and Internet services. In addition, the benefits to the Commission from eliminating the threshold are minimal. The information gathered by the Commission from service providers that have less than 250 broadband lines or channels in a State likely will be statistically irrelevant for purposes of the Commission's analysis. Instead of eliminating the threshold, the Commission should continue to accept voluntary submissions as it has done with past Form 477 filings.⁷

II. THE COMMISSION SHOULD EASE THE MANNER IN WHICH THE DATA IS COLLECTED.

The Commission could ease the burden of its rules on most service providers by changing the way it collects local competition and broadband data. For example, Form 477 should be converted to a database format and there should be a simple data entry form that will allow service providers to add individual records. The new data entry form should utilize a simple flat file record format that will allow for multiple records to be appended at one time. Global Crossing has found the current filing format to be simply inappropriate for large

⁶ See Second Notice at para. 18.


⁷ Second Notice at note 29.

databases because it is cumbersome to include large amounts of data in a spreadsheet format. In addition, the Commission should permit service providers to file Form 477 electronically using e-mail and provide specific reports as attachments.

Conclusion

For the foregoing reasons, the Commission should act upon the proposals contained in the Second Notice in the manner suggested herein.

Respectfully submitted,



Michael J. Shortley, III
John S. Morabito

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